

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

2020 FEB -7 PM 3:12
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SAMUEL VELASCO-GURROLA, |

Petitioner, |

Vs. |

Crim. Case No. 3:19-CV-00320-DB

UNITED STATES OF AMERICA, |

Respondent, |

**VELASCO'S AFFIDAVIT IN SUPPORT OF PENDING 28 U.S.C Sec. 2255
MOTION**

Samuel Velasco-Gurrola, ("Velasco"), hereby acting Pro se, respectfully moves to Supplement and/or Amend his Affidavit in Support of his pending motion to Vacate, Set Aside, or Correct his Sentence and conviction(28 U.S.C 2255 motion) pursuant to Fed.R.Civ.p. 15.

Respectfully Submitted

1

Samuel Velasco

CERTIFICATE OF SERVICE

I, Samuel Velasco Gurrola, hereby certify under penalty of perjury, that on this January 4, 2020, I placed a copy of the foregoing Veasco's Affidavit in Support of Pending 28 U.S.C Sec. 2255 at United States Penitentiary Canaan. A copy of the same was served to the United States Attorney's office for the Western District of Texas.

Respectfully Submitted

A handwritten signature in black ink, reading "Samuel Velasco", is written over a horizontal line.

Pro se Litigant:

SAMUEL VELASCO GURROLA

Reg. No. 51956-380

UNITED STATES PENITENTIARY

P.O. BOX. 300

WAYMART, PENNSILVANIA. 18472

STATE OF PENNSYLVANIA)
COUNTY OF WAYNE) ss

Case No. 3:19-CV-320-DB

AFFIDAVIT OF SAMUEL VELASCO GURROLA
IN SUPPORT OF HIS 28 U.S.C § 2255 MOTION

I, Samuel Velasco Gurrola, having been duly sworn, hereby depose and state as follows.

1. I am over 18 years of age; I reside in Waymart, Pennsylvania; I am competent to provide the information articulated herein; and if called to testify in this matter I could and would provide testimony consistent with the facts articulated below.

2. My brother, Emmanuel Velasco Gurrola, my sister, Dalia Valencia, and I were defendants in the above-styled cause. I exercised my right to trial in that case and was found guilty by a jury of three (3) counts of conspiracy to kill in a foreign country, in violation of 18 U.S.C. § 956(a), and four (4) counts of conspiracy to cause travel in interstate or foreign commerce in the commission of murder-for-hire, in violation of 18 U.S.C. § 1958(a).

3. I am executing the present affidavit in order to clarify inaccurate record information that was prejudicial against my case during my trial and that resulted in my conviction.

4. It is readily apparent from even a cursory review of the record that the Government's case against me rested almost exclusively upon the testimony of Government witness Arturo Garcia. Arturo Garcia (hereinafter "Garcia") testified that he participated in and overheard conversations in which I, Alan Garcia (Arturo Garcia's son), and others devised a plan to have Ruth

Sagredo and certain members of her family killed. According to Garcia, my brother Emmanuel, and my sister Dalia, were part of an independent branch of the aforementioned conspiracy. However, the case in the matter sub judice has been contaminated, and thus the conviction rendered unreliable, by false and inaccurate evidence.

5. According to the Government, Alan Garcia was a hit man working under my command. However, Alan Garcia was murdered during the commission of a kidnapping in Juarez, Mexico. According to the Government's theory, Alan Garcia's role in the instant case was that he was the person who planned and executed the commission of the murders of Cinthia Sagredo, Ruth Sagredo Escobedo, Roberto Martinez, and Ruth's father, Francisco Sagredo on November 22, 2008 in Juarez, Mexico, and in concert with two other alleged hit men named Ruben Alejandro Garcia Valdiviezo ("Homie") and Luis Nieves Ochoa ("Chino"). Arturo Garcia testified that I offered to pay Alan for murdering Ruth et al., in part, by funneling lucrative kidnapping opportunities to Alan Garcia.

6. Garcia further testified that, during a second encounter, he and his son, Alan, went to Dalia Valencia's house in Thunder Ridge (see Trial Exhibit 143), where Emmanuel, Dalia, and I were present. Garcia asserted at trial that it was at this alleged meeting that I had solicited Alan to murder Francisco and Ruth Sagredo. However, according to rental records, the house that Garcia said belonged to Dalia Valencia actually was leased by a real estate agent named Juan Larios, and neither Dalia nor I nor

my brother Emmanuel had access to this house. These facts are confirmed by rental records and by an affidavit from Mr. Juan Larios.

7. To be sure, Alan Garcia was certainly involved in criminal activity, including kidnapping people, killing people, and stealing motor vehicles. However, prior to his own death, Alan had worked for the Juarez Cartel. Indeed, his ex-wife, Ms. Ana Rosa Quesada, stated unequivocally that Alan had been deeply involved with the Juarez Cartel, even serving as a hit man for that particular cartel. According to Ms. Quesada, Francisco Sagreda was killed because he had refused to pay the monthly protection quota to one of the cartels for which Alan had worked in Juarez. Francisco Sagreda had previously received many threats from the cartels because of his refusals to pay for "protection."

8. At no time was Alan Garcia under my command, nor did he commit any illegal acts at my bidding. He was working indendently for the Juarez Cartel, and, until the day he was killed, took his orders from them. Further, I have never, either directly or indirectly, had any interaction with Ruben Alejandro Garcia Valdiviezo ("Homie") or with Luis Nieves Ochoa ("Chino"). Indeed, the Government has interviewed both of these individuals, and both stated that they have no idea who I am.

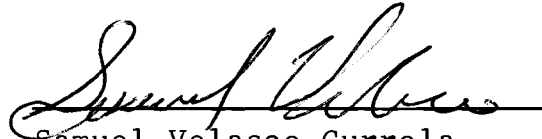
FURTHER YOUR AFFIANT SAYETH NOT.

EXECUTED AT WAYMART, PA THIS 4 DAY OF JANUARY, 2020.

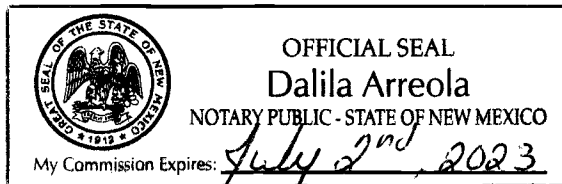
I, Samuel Velasco Gurrola, hereby declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the foregoing is

true and correct to the best of my knowledge, information, and belief.

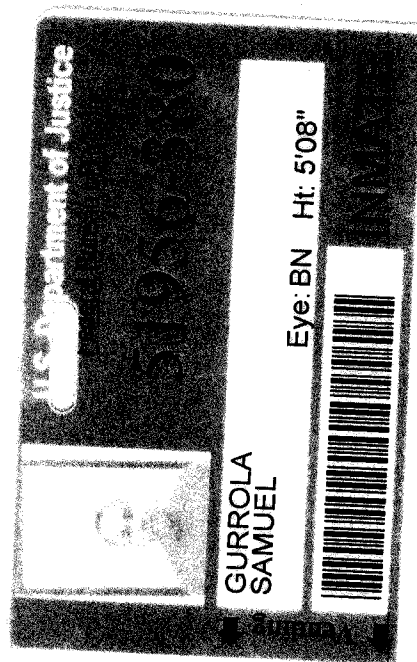
Respectfully submitted,



Samuel Velasco Gurrola
Reg. No. 51956-380
U.S. Penitentiary Canaan
P.O. Box 300
Waymart, Pennsylvania 18472



I'm witnessing that Samuel Velasco sign these papers,



I'm witnessing that he signed the papers on these particular case
3:19-CV-320-DB

↑ Vending ↑


Federal Bureau of Prisons

77928-379

MALDONADO
JOSE

Eye: BN Ht: 5'10"

INMA



Samuel Velasco Barrota
Reg No. 51956-380
United States Penitentiary

Canada
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Waymart, Pennsylvania. 18472

Special Mail

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Western District of Texas.
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